

FILED

08 AUG 15 PM 12:29

U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HONNY RAY HARDAWAY

Plaintiff,

vs.

JEREMY FOGEL,

Defendant.

CASE NO. CV-08-3677-WHA (PA)

**PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS**

I, PLAINTIFF, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes ___ No ☒

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: \$2 Net: \$2

Employer: _____

1 If the answer is "no," state the date of last employment and the amount of the gross and net
 2 salary and wages per month which you received. (If you are imprisoned, specify the last
 3 place of employment prior to imprisonment.)

4 1-10-07, 15¢ AN HOUR, \$20.00 A MONTH, AT PEAK VALLEY
 5 STATE PRISON, P.O. BOX 5802, DELHI, CA 93216

7 2. Have you received, within the past twelve (12) months, any money from any of the
 8 following sources:

9 a. Business, Profession or Yes ___ No ☒
 10 self employment

11 b. Income from stocks, bonds, Yes ___ No ☒
 12 or royalties?

13 c. Rent payments? Yes ___ No ☒

14 d. Pensions, annuities, or Yes ___ No ☒
 15 life insurance payments?

16 e. Federal or State welfare payments, Yes ___ No ☒
 17 Social Security or other govern-
 18 ment source?

19 If the answer is "yes" to any of the above, describe each source of money and state the amount
 20 received from each.

21 _____
 22 _____

23 3. Are you married? Yes ☒ No ___

24 Spouse's Full Name: EARLENE LEATHA WHITE

25 Spouse's Place of Employment: N/A

26 Spouse's Monthly Salary, Wages or Income:

27 Gross \$ N/A Net \$ N/A

28 4. a. List amount you contribute to your spouse's support: \$ 0

1 b. List the persons other than your spouse who are dependent upon you for
 2 support and indicate how much you contribute toward their support. (NOTE:
 3 For minor children, list only their initials and ages. DO NOT INCLUDE
 4 THEIR NAMES.).

5 _____
 6 _____

7 5. Do you own or are you buying a home? Yes ___ No ☒

8 Estimated Market Value: \$ 2 Amount of Mortgage: \$ 2

9 6. Do you own an automobile? Yes ___ No ☒

10 Make _____ Year _____ Model _____

11 Is it financed? Yes ___ No ☒ If so, Total due: \$ 2

12 Monthly Payment: \$ 2

13 7. Do you have a bank account? Yes ___ No ☒ (Do not include account numbers.)

14 Name(s) and address(es) of bank: _____

15 _____

16 Present balance(s): \$ 2

17 Do you own any cash? Yes ___ No ☒ Amount: \$ 2

18 Do you have any other assets? (If "yes," provide a description of each asset and its estimated
 19 market value.) Yes ___ No ☒

20 _____

21 8. What are your monthly expenses?

22 Rent: \$ 2 Utilities: 2

23 Food: \$ 2 Clothing: 2

24 Charge Accounts:

25 <u>Name of Account</u>	<u>Monthly Payment</u>	<u>Total Owed on This Acct.</u>
26 _____	\$ <u>2</u>	\$ <u>2</u>
27 _____	\$ <u>2</u>	\$ <u>2</u>
28 _____	\$ <u>2</u>	\$ <u>2</u>

1 9. Do you have any other debts? (List current obligations, indicating amounts and to
2 whom they are payable. Do not include account numbers.)

3 _____
4 _____

5 10. Does the complaint which you are seeking to file raise claims that have been presented
6 in other lawsuits? Yes ___ No ☒

7 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in
8 which they were filed.

9 _____
10 _____

11 I consent to prison officials withdrawing from my trust account and paying to the court
12 the initial partial filing fee and all installment payments required by the court.

13 I declare under the penalty of perjury that the foregoing is true and correct and
14 understand that a false statement herein may result in the dismissal of my claims.

15
16 8-9-08

17 DATE

18 MR Tommy Ray Hardaway

19 SIGNATURE OF APPLICANT
20
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28

Case Number: CV-08-3677-WHA (PR)

CERTIFICATE OF FUNDS
IN
PRISONER'S ACCOUNT

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of _____ for the last six months
[prisoner name]
_____ where (s)he is confined.

[name of institution]
I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$ _____ and the average balance in the prisoner's account each month for the most recent 6-month period was \$ _____.

Dated: _____

[Authorized officer of the institution]

REPORT ID: TS3030 .701 REPORT DATE: 08/11/08
PAGE NO: 2

CALIFORNIA DEPARTMENT OF CORRECTIONS
CENTINELA STATE PRISON
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: FEB. 01, 2008 THRU AUG. 11, 2008

ACCT: P45579 ACCT NAME: HARDAWAY, SONNY RAY ACCT TYPE: I

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
0.00	0.00	0.00	0.00	41.80	0.00
-----	-----	-----	-----	-----	-----
-----	-----	-----	-----	-----	-----

CURRENT AVAILABLE BALANCE	-----
41.80-	-----
-----	-----

THE WITHIN INSTRUMENT IS A CORRECT
COPY OF THE TRUST ACCOUNT MAINTAINED
AT THIS OFFICE.

CALIFORNIA DEPARTMENT OF CORRECTIONS
BY: *[Signature]*
TRUST OFFICER

REPORT ID: TS3030 .701 REPORT DATE: 08/11/08 PAGE NO: 1

CALIFORNIA DEPARTMENT OF CORRECTIONS
CENTINELA STATE PRISON
INMATE TRUST ACCOUNTING SYSTEM
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: FEB. 01, 2008 THRU AUG. 11, 2008

ACCOUNT NUMBER : P45579 BED/CELL NUMBER: FCB2T10000000124L
ACCOUNT NAME : HARDAWAY, SONNY RAY ACCOUNT TYPE: I
PRIVILEGE GROUP: A

TRUST ACCOUNT ACTIVITY

<< NO ACCOUNT ACTIVITY FOR THIS PERIOD >>

DATE PLACED	HOLD CODE	DESCRIPTION	COMMENT	HOLD AMOUNT
04/17/2008	H107	POSTAGE HOLD	6147 RGPOS	1.48
04/17/2008	H107	POSTAGE HOLD	6147 RGPOS	1.48
07/15/2008	H118	LEGAL COPIES HOLD	0339 07/14	3.80
07/15/2008	H118	LEGAL COPIES HOLD	0339 07/14	2.20
07/15/2008	H118	LEGAL COPIES HOLD	0339 07/14	0.90
07/15/2008	H118	LEGAL COPIES HOLD	0339 07/14	1.60
07/15/2008	H109	LEGAL POSTAGE HOLD	0341 07/14	0.45
07/15/2008	H109	LEGAL POSTAGE HOLD	0341 07/14	0.15
07/15/2008	H109	LEGAL POSTAGE HOLD	0341 07/14	0.30
07/16/2008	H109	LEGAL POSTAGE HOLD	0364 07/14	1.34
07/16/2008	H109	LEGAL POSTAGE HOLD	0364 07/14	1.00
07/16/2008	H109	LEGAL POSTAGE HOLD	0364 07/14	1.51
07/16/2008	H109	LEGAL POSTAGE HOLD	0364 07/14	1.34
07/17/2008	H109	LEGAL POSTAGE HOLD	0398 07/14	1.34
07/22/2008	H118	LEGAL COPIES HOLD	0481 07/21	7.40
07/22/2008	H109	LEGAL POSTAGE HOLD	0482 07/21	0.40
07/22/2008	H109	LEGAL POSTAGE HOLD	0482 07/21	0.30
07/23/2008	H109	LEGAL POSTAGE HOLD	0550 07/21	2.19
07/23/2008	H109	LEGAL POSTAGE HOLD	0550 07/21	1.00
07/23/2008	H109	LEGAL POSTAGE HOLD	0550 07/21	1.00
07/23/2008	H109	LEGAL POSTAGE HOLD	0550 07/21	1.85
07/25/2008	H109	LEGAL POSTAGE HOLD	0617 07/23	1.17
08/04/2008	H118	LEGAL COPIES HOLD	0739 07/30	0.20
08/04/2008	H118	LEGAL COPIES HOLD	0739 07/30	1.60
08/04/2008	H118	LEGAL COPIES HOLD	0739 07/30	0.20
08/04/2008	H109	LEGAL POSTAGE HOLD	0748 07/30	0.15
08/04/2008	H109	LEGAL POSTAGE HOLD	0748 07/30	0.15
08/04/2008	H109	LEGAL POSTAGE HOLD	0748 07/30	1.00
08/04/2008	H109	LEGAL POSTAGE HOLD	0748 07/30	1.34
08/04/2008	H109	LEGAL POSTAGE HOLD	0748 07/30	1.17

THE WITHIN INSTRUMENT IS A CORRECT
COPY OF THE TRUST ACCOUNT MAINTAINED
BY THIS OFFICE.
ATTEST:
CALIFORNIA DEPARTMENT OF CORRECTIONS
BY: *[Signature]*
TRUST OFFICER

If you are a prisoner you must have an officer from your institution provide this official certificate as to the amount of money in your prison account. There are no exceptions to this requirement.

PRISON CERTIFICATE
(Incarcerated applicants only)
 (To be completed by the institution of incarceration)

I certify that the applicant HARDWAY, SONNY
 (NAME OF INMATE)

P45579

(INMATE'S CDC NUMBER)

has the sum of \$ Ø on account to his/her credit at _____

CENTINELA STATE PRISON

(NAME OF INSTITUTION)

I further certify that the applicant has the following securities Ø

to his/her credit according to the records of the aforementioned institution. I further certify that during

the past six months the applicant's *average monthly balance* was \$ Ø

and the *average monthly deposits* to the applicant's account was \$ Ø

ALL PRISONERS *MUST* ATTACH A CERTIFIED COPY OF THEIR TRUST ACCOUNT STATEMENT SHOWING TRANSACTIONS FOR THE SIX-MONTH PERIOD IMMEDIATELY PRECEDING THE FILING OF THE COMPLAINT PER 28 U.S.C. § 1915(a)(2).

8/11/08

DATE

M. Preciado

SIGNATURE OF AUTHORIZED OFFICER OF INSTITUTION

MONICA PRECIADO

OFFICER'S FULL NAME (PRINTED)

ACCOUNT CLERK II

OFFICER'S TITLE/RANK



GENERATED FROM
CENTINELA STATE PRISON

RECEIVED

AUG 15 2008

RICHARD W. WIERING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

United States District Court
Northern District
450 Golden Gate Avenue
16th Floor #1111
San Francisco, CA. 94102

CONFIDENTIAL
LEGAL MAIL

UP-BONNY 11/9/08/11/08/AY
2-45579-08124-2
CENTINELA STATE PRISON
P.O. BOX 921
IMPERIAL, CA 92251